

REMARKS

The office action of July 10, 2009, has been carefully considered.

It is noted that the Abstract of the Disclosure is objected to.

Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph.

Claims 1-6 are rejected under 35 U.S.C. 102(b) over the patent to Hellyer or the patent to Ganzhorn or GB 2171029 or JP 406000405.

Claims 7-11 are rejected under 35 U.S.C. 103(a) over Hellyer or Ganzhorn or GB 2171029 or JP 406000405.

In connection with the Examiner's objection to the abstract, applicant has deleted the original abstract and attached hereto a new Abstract of the Disclosure on a separate sheet.

In view of these considerations it is respectfully submitted

that the objection to the abstract of the disclosure is overcome and should be withdrawn.

In view of the Examiner's rejections of the claims, applicant has canceled claim 8, amended claims 1-7 and 9-11, and added new claim 12.

It is respectfully submitted that the claims now on file particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended the claims to address the instances of indefiniteness pointed out by the Examiner.

In view of these considerations it is respectfully submitted that the rejection of claims 1-11 under 35 U.S.C. 112, second paragraph is overcome and should be withdrawn.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the references.

Turning now to the references, Hellyer discloses an ice crusher. There is no disclosure of a document shredder of any

kind, let alone one that has the features recited in claim 1 presently on file.

The patent to Ganzhorn discloses a finger guard for a meat grinder. This reference also has no disclosure concerning a document shredder. There is no disclosure of a flap movable into a raised position when a flow of the material to be shredded is reversed and which in the lower position constricts a feeding area to a narrow feeding path having a width that is smaller than an open width of the feeding area and smaller than when the flap is in the raised position. There is further no disclosure of a document shredder having a switch connected to a flap so that when the flap is in a raised position the switch turns off a forward drive.

GB 2171029 discloses a shredder having a pivotable flap 3 for redirecting the sheets if they are inserted vertically from above. Also, when the sheets are fed parallel to the feed bar 5 the sheets pivot the flap upwardly (see Fig. 6). In the lower position shown in Fig. 1, the flap 3 does not constrict the feed area to a narrow feeding path having a width that is smaller than an open width of the feeding area, as in the presently claimed invention. Furthermore, the flap 3 is not movable into a raised

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position when a flow of the material to be shredded is reversed. Additionally, this reference does not teach a switch connected to the flap so that when the flap is in the raised position the switch turns off a forward drive.

JP406000405 discloses a shredder in which the transport belt 4 and the cutter 5 of the shredder are stopped by manual lifting of the cover 8. The cover 8 is not moveable into a raised position by the documents to be shredded, nor does the cover 8 constrict the feed area to a narrow feeding path having a width that is smaller than an open width of the feeding area and smaller than when the cover is in a lifted position.

In view of these considerations it is respectfully submitted that the rejection of claims 1-6 under 35 U.S.C. 102(b) and the rejection of claims 7-11 under 35 U.S.C. 103(a) over the above-discussed references are overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

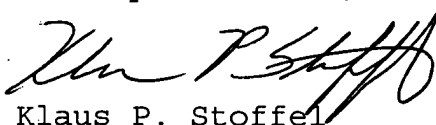
Any additional fees or charges required at this time in connection with this application may be charged to Patent and

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Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on November 10, 2009.

By:

  
Klaus P. Stoffel

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